

REQUEST FOR EXTENSION OF TOLLING REQUEST

Telecinco, Inc. (“Telecinco”), licensee of full-power television Station WRFB(DT), Carolina, Puerto Rico (Facility ID No. 54443) (the “Station”), respectfully requests that the construction permit authorizing the Station to modify its facilities to operate on its post-auction channel (0000034795, as modified by 0000203288) (the “CP Authorization”), be tolled in accordance with Section 73.3598(b) of the FCC’s rules. The Commission previously granted tolling of the CP Authorization (0000067310), and the requests for an extension of the tolling (0000082223, 0000141020, 0000153595, 0000161089, 0000186209 and 0000198553).

By way of background, the Station was reassigned to Channel 30 as a result of the FCC’s Incentive Auction. After the completion of the Incentive Auction, the Station timely filed a modification application for the repacked facilities assigned by the Commission. However, before any construction could be completed, the Station’s tower and transmission facilities sustained substantial damage during Hurricane Maria in September 2017. Because there was substantial damage caused to television stations licensed to communities throughout Puerto Rico, the FCC adjusted the transition deadline for affected stations.¹ Under the revised transition schedule, the Station was required to terminate operation on its pre-Incentive Auction channel no later than August 1, 2018.

Recognizing that it would not be able to complete construction of its authorized post-Incentive Auction facility prior to the August 1, 2018 deadline, Telecinco requested and received authorization to extend the CP Authorization deadline (0000055271). Additionally, Telecinco requested and received special temporary authority to operate with interim facilities from the tower site specified in the CP Authorization at reduced power.

Previously, Telecinco detailed the substantial damage caused by Hurricane Maria, which included the complete destruction of the Station’s tower, and substantial damage to the related transmission facilities. Telecinco also detailed the extended delay to receive zoning approval for the construction of the new tower, and the impact of supply chain and shipping delays postponed the delivery of the constructed tower.

As of May 30, 2023, construction of the tower authorized by the CP Authorization was completed, the antenna and transmission line installation were installed, and the modified transmitter building construction was completed. These steps demonstrate that Telecinco made substantial efforts to complete construction since the grant of the most-recently granted Tolling Request. However, as discussed below, the commencement of full-power operations has been delayed by the need to complete construction of an electric substation.

¹ See *Incentive Auction Task Force and Media Bureau Grant Waiver of the Post-Auction Transition Schedule and Modify the Transition Phase Assignments of Repacked Stations In Puerto Rico and the U.S. Virgin Islands*, Public Notice, 22 FCC Rcd 138 (2018).

In particular, Telecinco has been coordinating with the local power utility company to construct and install a new electric substation with the local power utility company. Originally, that work was expected to be completed quickly. However, Telecinco has had difficulty in obtaining the necessary transformers to be installed at the substation due to the differing primary voltage (8320V) used in Puerto Rico. Further delaying these efforts is the need to ship the transformers from the United States to Puerto Rico, and have them transported to the transmitter site.

Currently, Telecinco expects that it will receive the transformers by the end of November 2023. Once received, Telecinco estimates that it can complete the construction of the substation, and commence full-power operations within 30-45 days. Currently, the Station is operating at the authorized post-Transition tower site on its post-Transition channel at reduced power subject to the Special Temporary Authority granted on May 19, 2023.

Section 73.3598(b) of the Commission's rules provides that the period of construction for an original construction permit shall toll when "construction is prevented due to an Act of God, defined in terms of natural disasters." Without question, the extensive damage that the Station sustained during Hurricane Maria constitutes an Act of God justifying tolling. Complicating matter was the Incentive Auction requiring the Station to change channels.

Telecinco has completed construction of the Station's tower site, and has completed the construction of the transmitter building. The sole delay in taking the final steps necessary to commence operations of the full-power Station is the construction of the electric substation. Because of the damage caused by Hurricane Maria, Telecinco was required to coordinate with the local power utility company to reconstruct the electrical substation at the tower site so that the Station can operate with its post-Transition, authorized facilities.

As detailed in the contemporaneously-filed STA Extension Request, Telecinco is waiting for delivery of the necessary transformers. Until those transformers can be delivered and installed, Telecinco is unable to operate the Station at full power.

Telecinco has received and is currently storing all of the necessary equipment for the authorized equipment, including the generator, the UPS, and transmitter. Also, Telecinco has already installed the full-power antenna and transmitter line as authorized in the CP Authorization, which is operating at reduced power. Finally, it has completed the construction of the modified transmitter building.

As such, further tolling of the construction permit is in the public interest and will not impact the overall transition schedule or cause interference to other stations. For the reasons set forth above, Telecinco respectfully requests that the CP Authorization be tolled until January 31, 2024.